GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:7311
ANSWERED ON:13.05.2005
MERCY KILLING
Pallani Shamy Shri K.C .

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether mercy killing is illegal in the country;

(b) if so, the reasons therefor;

(c) whether Union Government has any proposal for bringing any legislation to legalise mercy killing;

(d) if so, the details thereof; and

(e) if not, the reasons therefor?

Answer

THE MINISTER OF LAW AND JUSTICE (SHRI H. R.BHARDWAJ):

(a) and (b) Mercy killing is illegal in the country because the same is not permitted under the Law.

(c) No, Sir.

(d) The question does not arise.

(e) The Union Government has no proposal for bringing any legislation to legalise mercy killing due to the following reasons :

(i) Progression of medical science to relieve pain, suffering, rehabilitation and treatment of so-called incurable diseases will suffer a set back.

(ii) An individual may wish to die at certain point of time, his or her wish may not be persistent and only a fleeting desire out of transient depression.

(iii) Suffering is a state of mind and a perception, which varies from individual to individual and depends on various environmental and social factors.

(iv) Continuous advancement in medical science has made possible good pain management in patients of cancer and other terminal illnesses. Similarly, rehabilitation helps spinal injury patients in leading near normal life and mercy killing may not be required.

(v) Wish of mercy killing by a mentally, ill patient or in depression may be treatable by good psychiatric care.

(vi) It will be difficult to quantify the suffering, which may always be subject to changing social pressures and norms.

(vii) It will be difficult on the part of the doctors to claim to have knowledge and experience to say that the disease is incurable and patient is permanently invalid.

(viii) There might be psychologically pressure and trauma to the medical officers who would be required to conduct mercy killing.